

ATTORNEY'S DOCKET NUMBER: 2004117-0008 (NEMC 197-DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Carr, *et al.* Art Unit: 1647
Serial No: 10/828,623 Examiner: Landsman, R. S.
Filed: April 21, 2004
For: NOVEL CHIMERIC ANALGESIC PEPTIDES

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 C.F.R. § 1.137(b)

Based on the petition for a three-month extension of time from December 28, 2006 up to and including March 28, 2007, the above-referenced application was abandoned on March 28, 2007 for failure to prosecute. The entire delay from the date of March 28, 2007, until the filing of this Petition, was unintentional. As the responsible petitioner, I am in a position to know that such delay was unintentional. A United States patent application, U.S.S.N. 11/692,872, was filed on March 28, 2007 and is a continuation of the above-referenced application. However, a petition for a three-month extension of time and fee set forth in 37 C.F.R. § 1.17(a) was inadvertently not filed before the statutory deadline of March 28, 2007. Applicant hereby petitions for revival of this application.

This petition is also accompanied by a petition for a three-month extension of time from December 28, 2006, up to and including March 28, 2007, and a credit card form covering the fee for such an extension is enclosed. This petition is also accompanied by a credit card fee covering the petition fee of \$750.00 for a small entity set forth in 37 C.F.R. § 1.17(m) for an unintentionally abandoned application.

Please charge any other fees associated with this filing, or apply any credits, to our
Deposit Account No. 03-1721.

Respectfully submitted,

/BHJarrell/
Brenda Herschbach Jarrell, Ph.D.
Registration No. 39,223

Choate, Hall & Stewart
Two International Place
Boston, MA 02110
t (617) 248-5175
f (617) 248-4000
bjarrell@choate.com
Date: July 10, 2007